

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HEARTLINE COMMUNICATIONS, INC.)	
<hr/>)	
FAILURE TO COMPLY WITH KRS)	CASE NO. 96-420
278.140)	

O R D E R

Heartline Communications, Inc. ("Heartline") owns, controls, operates, or manages facilities used for and in connection with the transmission or conveyance of messages by telephone for the public for compensation. It is therefore a utility subject to Commission jurisdiction. KRS 278.010(3)(e).

KRS 278.140 requires every utility, on or before March 31 of each year, to file with the Commission a report of its gross earnings or receipts derived from intrastate business for the preceding calendar year.

KRS 278.990(1) states that any utility which willfully violates any provision of KRS Chapter 278 or Commission regulation shall be subject to a civil penalty not less than twenty-five dollars (\$25.00) nor more than two thousand five hundred dollars (\$2,500).

On January 3, 1996, the Commission provided to Heartline the standard forms for the report of gross earnings from intrastate business. According to Commission records, Heartline has yet to file these reports for the 1995 calendar year with the Commission. The absence of these reports from Commission records constitutes prima facie evidence that Heartline has willfully failed to comply with KRS 278.140.

IT IS THEREFORE ORDERED that:

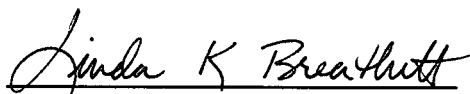
1. Heartline shall file with the Commission, no later than September 26, 1996, its report of gross earnings from intrastate business for the 1995 calendar year.


2. Heartline shall appear on October 2, 1996 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of showing cause, if any it can, why it should not be subject to the penalties of KRS 278.990 for its failure to comply with KRS 278.140.

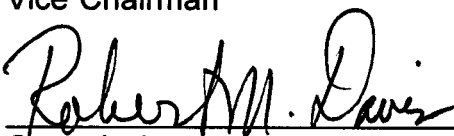
3. If Heartline desires to waive its right to a hearing in this matter, it shall, no later than September 26, 1996, file the required reports and pay a penalty of \$250. Payment of the penalty shall be made by certified check or money order made payable to Treasurer, Commonwealth of Kentucky, and shall be delivered to Office of General Counsel, Public Service Commission, 730 Schenkel Lane, P. O. Box 615, Frankfort, Kentucky 40602.

Done at Frankfort, Kentucky, this 28th day of August, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director